

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

No. 2:12-CV-1282-JLR

**CITY OF SEATTLE’S NOTICE OF
ORDINANCE REGARDING
INVESTIGATIONS OF THE CHIEF
OF POLICE**

The City of Seattle (City) submits this Notice to inform the Court about legislation enacted by the Seattle City Council on July 19, 2022, that establishes a process for investigating complaints naming the Seattle Police Department (SPD’s) Chief of Police (the Chief). *See* Exhibit A (City Council Ordinance No. 126628, hereinafter referred to as “the Ordinance”).

As set forth in the preamble to the Ordinance, the Seattle City Council enacted it in response to three Office of Police Accountability (OPA) complaints that were filed in 2020 against the Chief. The Ordinance codifies a process for investigation of complaints against the Chief. Specifically, the Ordinance provides that OPA must promptly notify the Office of Inspector General (OIG) of any complaints naming the Chief. SMC 3.29.510(B). After an initial intake

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Ann Davison
Seattle City Attorney
701 5th Avenue, Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

1 conducted by an OPA civilian investigator supervisor, OPA will consult with OIG regarding the
 2 complaint. SMC 3.29.510(C)-(D). OPA's Director will then determine whether investigation is
 3 appropriate, and, if so, whether it should be conducted by an internal entity (OPA or the Seattle
 4 Department of Human Resources) or external entity. SMC 3.29.510(E). OIG shall then review
 5 the OPA Director's recommendation regarding the investigation; if OIG disagrees with the
 6 recommendation, OIG's determinations regarding the investigation shall control. SMC 3.29.520.
 7 The Ordinance also contains sections regarding notification, reporting, and transmittal of the
 8 investigation and its results (SMC 3.29.530, .570-.580), assignment and procedure of the
 9 investigation (SMC 3.29.540-.550), and OIG review of the investigation. SMC 3.29.560.

10 On July 27, 2022, Mayor Harrell signed the legislation. The Ordinance took effect on
 11 August 26, 2022. The City notified DOJ and the Monitor about the Ordinance and that compliance
 12 with the Ordinance will require changes to OPA and OIG policies. Once drafts of these proposed
 13 policies have been written, the City will submit these proposed policies to DOJ, the Monitor, and
 14 the Court for review and approval.

15 Respectfully submitted this 6th day of October, 2022.

16 ANN DAVISON
 17 Seattle City Attorney

18 By: /s/ Sarah Tilstra
 19 SARAH TILSTRA, WSBA #35706
 20 JESSICA LEISER, WSBA #49349
 21 Assistant City Attorney
 22 Seattle City Attorney's Office
 23 701 Fifth Ave., Suite 2050
 Seattle, WA 98104-7095
 Ph: (206) 684-8200
 Fax: (206) 684-8284
 sarah.tilstra@seattle.gov
 jessica.leiser@seattle.gov

Attorneys for Defendant
City of Seattle, Seattle Police Department

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